



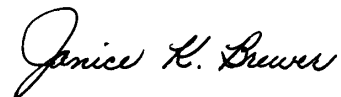
# FY '03 Annual Report

*Janice K. Brewer  
Secretary of State*



## **July 2003**

*Welcome from the Arizona Capitol in Phoenix. The Secretary of State's Office publishes this annual report every fiscal year. This report is for FY '03 - July 1, 2002 through June 30, 2003. Your comments about any of our publications are appreciated.*

A handwritten signature in black ink that reads "Janice K. Brewer".

**JANICE K. BREWER**  
Secretary of State



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## Agency Mission Statement

The mission of the Office of the Secretary of State is to carry out its constitutional and statutory mandates which are to receive and record filings from governmental bodies and the general public; to provide election services to counties and candidates for office; to register and certify business transactions; to publish official acts of the state of Arizona including its chapter laws and rules; to appoint notaries public; and to carry out these mandates in a manner compatible with the requirements and expectations of the constituencies the office serves.

## Agency Description

The Department of State was created by the constitution and is headed by a publicly elected secretary of state, who serves as acting governor in the absence of the governor, and succeeds the governor should a vacancy occur. The secretary of state is the official keeper of the Great Seal of the State of Arizona.

The Secretary of State's Office receives and records various filings, including Uniform Commercial Code transactions, trademark and trade name registrations, charity filings, limited partnership and limited liability partnership filings; administers election functions, including canvass and certification of state-wide elections, registration of lobbyists and acceptance of periodic lobbyist filings, and campaign finance filings; publishes all official acts of the State of Arizona including Chapter laws, the *Arizona Administrative Code* and the *Arizona Administrative Register*, appoints notaries public, and authenticates notaries public and certain public officials for documents sent to foreign locations.

# Administration

## Mission Statement:

To provide guidance, leadership, and support to the staff of the Secretary of State's Office.

## Division Description:

The administration anticipates the increasing expectations of the public, candidates, elected officials, media, and business community in order to provide timely and efficient filing and retrieval of information through advanced automation.

The Secretary of State's Office is responsible for maintaining a record of all official acts of the governor during the year, and to account for the official acts of the secretary of state including issuance and attachment of the Great Seal of Arizona to documents that are filed.

The Secretary of State's Office keeps documentation of filings and registrations made within its divisions, as well. Counts of these transactions are tabulated throughout this report where available.

### Arizona Revised Statutes § 41-121. Duties

The secretary of state shall:

1. Receive bills and resolutions from the legislature, and perform such other duties as devolve upon the secretary of state by resolution of the two houses or either of them.
2. Keep a register of and attest the official acts of the governor.
3. Act as custodian of the great seal of this state.
4. Affix the great seal, with the secretary of state's attestation, to public instruments to which the official signature of the governor is attached.
5. File in the secretary of state's office receipts for all books distributed by the secretary of state and direct the county recorder of each county to do the same.
6. Certify to the governor the names of those persons who have received at any election the highest number of votes for any office, the incumbent of which is commissioned by the governor.
7. Publish slip laws of each act of the legislature promptly upon passage and approval of such act, make such acts available to interested persons for a reasonable fee to compensate for the cost of printing and provide each house of the legislature and the legislative council with a certified copy of each bill or resolution, showing the chapter or resolution number of each, as each is filed in the secretary of state's office.
8. Keep a fee book of fees and compensation of whatever kind and nature earned, collected or charged by the secretary of state, with the date, the name of the payer and the nature of the service in each case. The fee book shall be verified annually by the secretary of state's affidavit entered in the fee book.
9. Perform other duties imposed on the secretary of state by law.
10. Report to the governor on January 2 each year, and at such other times as provided by law, a detailed account of the secretary of state's official actions taken since the secretary of state's previous report together with a detailed statement of the manner in which all appropriations for the secretary of state's office have been expended.
11. Transfer all noncurrent or inactive books, records, deeds and other papers otherwise required to be filed with or retained by the secretary of state to the custody of the Arizona state library, archives and public records.
12. Make available to the public, without charge, title 33, chapter 11 on the secretary of state's web site.
13. Accept, and approve for use, electronic and digital signatures that comply with section 41-132, for documents filed with and by all state agencies, boards and commissions. In consultation with the government information technology agency, the department of administration and the state treasurer, the secretary of state shall adopt rules pursuant to chapter 6 of this title establishing policies and procedures for the use of electronic and digital signatures by all state agencies, boards and commissions for documents filed with and by all state agencies, boards and commissions.
14. Meet at least annually with personnel from the federal voting assistance office of the United States department of defense and with county recorders and other county election officials in this state to coordinate the delivery and return of registrations, ballot requests, voted ballots and other election materials to and from absent uniformed and overseas citizens.

### ***Fast Facts:***

#### **The Administration Division of the Secretary of State's Office recorded, filed or prepared:**

- 283 Extraditions
- 39 Eagle Scout certificates
- 8 Grants of permission to use the State Seal

#### **The Administration Division files loyalty oaths for the governor's appointments and judges:**

- 773 Appointments filed

# Business Services

## Mission Statement:

To accept, deny, process and maintain a database and record of all required documents and to make them available to all interested parties.

## Division Description:

The Business Services Division exists to centralize state-wide registration of trade names, trademarks, limited partnerships, limited liability partnerships, limited liability limited partnerships, charities, telephone solicitors, contracted fund-raisers, athlete agents, and to perfect Uniform Commercial Code financing statements in an efficient and timely manner for the general public.

The Business Services Division also oversees the commissioning of notaries public for the state and certifies notarizations, rules, and laws.

### *Fast Facts:*

**The Business Services Division has accepted the following number of initial and subsequent filings and annual reports in Fiscal Year 2003:**

- |  |  |
|--|--|
| • 4 General Partnerships                     | • 536 Foreign Limited Partnerships                 |
| • 1,848 Limited Partnerships                 | • 55 Foreign Limited Liability Partnerships        |
| • 879 Limited Liability Partnerships         | • 3 Foreign Limited Liability Limited Partnerships |
| • 581 Limited Liability Limited Partnerships |  |

**The Business Services Division administers the following number of recorded Limited Partnerships:**

- |  |   |
|--|---|
| • 11 General Partnerships                      | • 110 Foreign Limited Partnerships                  |
| • 17,773 Limited Partnerships                  | • 1,096 Limited Liability Limited Partnerships      |
| • 5,241 Limited Liability Partnerships         | • 20 Foreign Limited Liability Limited Partnerships |
| • 1,987 Limited Liability Limited Partnerships |   |

**In Fiscal Year 2003, the Business Services Division filed:**

- |  |   |
|--|---|
| • 785 New Intergovernmental Agreements           | • 66,106 Uniform Commercial Code transactions |
| • 540 Amendments to Intergovernmental Agreements | • 70 Athlete Agent Registrations              |

# Business Services

The Business Services Division currently administers:	
<p>18,428 Trademarks</p> <p><b>The Division filed the following documents related to Trademark records:</b></p> <ul style="list-style-type: none"> <li>• 1,710 applications</li> <li>• 272 renewals</li> <li>• 47 amendments</li> <li>• 70 assignments</li> </ul> <p>546,154 Uniform Commercial Code Filings</p>	<p>147,412 Trade names</p> <p><b>The Division filed the following documents related to Trade name records:</b></p> <ul style="list-style-type: none"> <li>• 23,887 applications</li> <li>• 5,710 renewals</li> <li>• 753 amendments</li> <li>• 1,219 assignments</li> </ul>
The Business Services Division also administers the following registrations:	
<ul style="list-style-type: none"> <li>• 1,052 Telephone Solicitors</li> <li>• 49 Contracted fund raisers</li> </ul>	<ul style="list-style-type: none"> <li>• 2,579 Charities</li> <li>• 71,023 Notary Commissions</li> </ul>
In Fiscal Year 2003, the Business Services Division has issued and affixed the Great Seal of Arizona to:	
<ul style="list-style-type: none"> <li>• 20,039 Certificates of Notary Public Appointments</li> <li>• 4,823 Certificates of Authentication</li> </ul>	<ul style="list-style-type: none"> <li>• 18,130 Certificates of Apostilles/Authentication for Notaries Public</li> </ul>
Other statistics for Fiscal Year 2003:	
<ul style="list-style-type: none"> <li>• 110 Notary Complaints filed</li> <li>• 55 Notary Complaints resolved</li> <li>• 3 Number of Administrative Hearings SOS was a party to.</li> </ul>	<ul style="list-style-type: none"> <li>• 16 Notary Workshops conducted state-wide</li> <li>• 485 Number of people attending workshops</li> </ul>

The Business Services Division conducts business with the general public at the Secretary of State Customer Service Center located at 14 N. 18<sup>th</sup> Ave. and at the Secretary of State's Tucson office.

During FY 2003 Secretary of State Jan Brewer announced the relocation and continuation of customer service in Tucson. The Tucson office can register trademarks, trade names, limited partnerships, issue apostilles and certificates of authentication. In addition, the office provided election services and a wide range of public information. The new address for the office is:

Secretary of State Jan Brewer - Southern Arizona Office  
 400 W. Congress, 2nd floor, Ste. 252  
 Tucson, Arizona 85701  
 520.628.6583

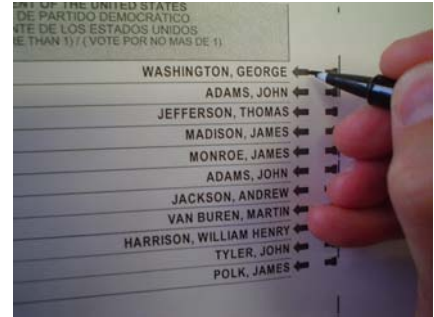


The Secretary of State Customer Service Center located at 14 N. 18<sup>th</sup> Ave.

# Election Services

## Mission Statement:

The mission of the Election Services Division is to provide professional, courteous service in the administration of campaign finance and lobbyist laws; candidate and ballot filings; training and certification of county recorders and election officials; review and certification of election equipment used by the counties; logic and accuracy tests prior to each election on counties' vote counting devices; and retrieval of filings for the public upon request.



The Secretary of State is the chief elections officer for the State of Arizona.

## Fast Facts:

**During FY 2003, the Election Services Division accepted the following documents for filing or handled the following matters:**

- 56 Statements of Organization for Candidate Committees
- 101 Statements of Organization for Non-Candidate Committees
- 148 Amendments to Statements of Organization
- 268 Financial Disclosure Statements filed by Public Officers and Judges and Candidates
- 3,095 Campaign Finance Report Filings
  - 2,910 Internet
  - 185 Diskette
- 4 Initiative Petitions filed by the People containing 737,233 signatures for verification
- 324 Candidates' nomination petition papers to run for office
- 0 Presidential Electors Nomination Papers (not applicable)
- 91 Clean Election Candidate
  - Application for Certification As A Participating Candidate
- 76,302 Qualifying Contribution Slips
- 90 Candidates Qualified as Clean Election "Participating" Candidates
- 0 Presidential Preference Candidates' Nomination Papers (not applicable)

## Lobbyist Quarterly Registration and Reports

- 649 Lobbyists Registrations Filed
- 788 Registration Reminder Notices mailed
- 139 Registration Failure to File Letters mailed
- 3,192 Quarterly Expenditure Report Reminder Notices mailed
- 656 Quarterly Expenditure Report Failure to File Letters mailed
- 257 Names Reported to Attorney General for Failure to File Lobbyist Quarterly Expenditure Reports

## Principal Registrations

- 542 Initial Registrations filed
- 202 Amendments to Registration filed
- 150 Terminations to Principal Registrations filed



# Election Services



The Arizona HAVA State Plan was created by a 25- member planning committee. The committee held public meetings and gathered facts to help create the HAVA Plan. For more information, go to [www.azsos.gov/hava/](http://www.azsos.gov/hava/)

## Help America Vote Act of 2002

- State Plan – Created a 25-member state planning committee that developed Arizona's State Plan for compliance with the Help America Vote Act (HAVA).
- Conducted State Planning Committee meetings as public meetings and also provided a 30-day public comment period before adoption of the final state plan. The Plan was released May 15, 2003.

## Voter Outreach

### Kids Voting AZ:

- Partnership with Kids Voting Arizona, Intel, WB61 and Pizza Hut.
- Produce 10,000 posters, 300,000 bookmarks, and 100,000 stickers promoting the '02 Kids Voting AZ General Election.
- Pizza Hut placed these stickers on each delivery box.

## Hispanic Outreach

### Tu Voto es Tu Voz:

- Partnership with two television networks; Telemundo and Univision. Two major Spanish newspapers, La Voz and Prensa Hispana and four Spanish Radio Stations.
- Partnership with APS.
- Arvizu Promotions produced four Public Service Announcements.
- Non-profit partners included Chicanos Por La Causa, MALDEF, UFW, SVREP and Kids Voting Arizona.
- Regular appearances during the 5 and 10 p.m. news segments to promote voter education.
- Continuous on-air radio support to promote voter education.
- Eight voter registration drives in Food City stores and Arizona Mills.
- Registered nearly 600 to vote.

## Asian Outreach

- Attend cultural events and house meetings to organize and conduct voter registration drives. Secretary of State Asian Advisory Council.

## Native American Outreach

- Developed and kicked off Native American Voter projects in Urban then Rural areas.
- Visited Chapters on the Navajo Reservation to train for voter registration projects
- Translated the Publicity Pamphlet into Navajo and distributed the tapes across the Navajo Reservation.

## Midnight Voter Registration Drives (last day registration)

- Announced over Television and Radio stations.
- Held on the day of Primary and General election registration deadlines.
- Drive held at the State Capitol parking lot.
- Local radio DJ broadcast on-site support.

## Grocery stores and other places of business:

- Voter Registration forms were made available at most Credit Unions, Bank One branches and seven Phoenix McDonalds locations

# Election Services

- Major grocery stores statewide displayed voter registration forms. List includes: Food City, Safeway, Albertson's, Walgreen's, AJ's Fine Foods, Basha's, Fry's, and Osco Drug stores.

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## Voter Registration drives:

- Places of employment, job fairs, cultural events, special events and sports events.
- Developed core teams of volunteers from various areas: students, unions, community leaders, churches and businesses.

## Town Hall Meetings

- Voter education meetings increased ballot initiative awareness.
- Held in every county.
- Approximately 40 meetings held between September and November.
- Hosted by various clubs and organizations

## Publicity Pamphlets

- Designed, drafted, printed and distributed publicity Pamphlets by September 23, 2002 to all registered voter households in Arizona.

## Sun Dial Voter Information Project

- Provides audio access to important election information to the blind, visually impaired, and otherwise disabled.
- Partnership with Sun Sounds.

## Voter Registration made easy:



- EZ Voter Registration – Introduced the “EZ Voter” Voter Registration project which provided the opportunity for electronic voter registration utilizing the Department of Motor Vehicle's digital signature. Registrants can update voter registration while changing their address on the Service Arizona website and new voters, with a current digital signature, can register to vote on the Service Arizona website as well.
- Downloadable voter registration form from our Website, [www.sos.state.az.us](http://www.sos.state.az.us)
- Toll-free number to request a form 1 877-THE-VOTE.

## Military and Overseas Voting

- Successfully lobbied for the passage of SB 1023, which allows for easier early voting processes for military and overseas citizens including the use of fax machines for the transmittal of voted ballots.



## Election Officer Certification

- The 2003 Election Officer Certification Training Program, as mandated by A.R.S. § 16-407 (C), began in FY '03 and is scheduled to conclude in FY '04. County recorders, officers in charge of elections, and employees of these offices, county school superintendent staff, deputy county attorneys, house and senate staff attorneys and members of the Secretary of State's Election Services Division, will attend the classes.
- The Election Director, Assistant Election Director and members of a committee appointed by the Secretary of State (two county recorders, an election director and an assistant attorney general) prepared course materials and a written test. Subjects covered include: Election Law, the Help America Vote Act, Initiative Referendum and Recall, Candidate

# Election Services

Nomination, Ethics, The National Voter Registration Act of 1993, Overseas and Military Voting Procedures, Voting Rights Act, Pre-Clearance; Communication and Teamwork. The training courses are scheduled at the following times and locations into FY 2004:

## 25-hour Initial Certification Classes

- Phoenix June 23 – 27, 2003
- Phoenix, July 14 – 18, 2003

## 9-hour Re-Certification Classes

- Tucson September 15, 2003
- Phoenix September 17, 2003
- Prescott September 19, 2003
- Phoenix September 26, 2003
- Tucson September 29, 2003
- Flagstaff October 6, 2003

# Public Services

## Mission Statement:

To provide public information, process publication requests, file agency rules, publish the *Arizona Administrative Code* and the *Arizona Administrative Register*, and publish statutorily mandated and other informational publications and documents while serving the public efficiently and professionally.

## Division Description:

The Public Services Division files and publishes the rules of the state's agencies in quarterly supplements to the *Arizona Administrative Code* and in the weekly *Arizona Administrative Register*; assigns chapter numbers and reproduces for public distribution chapter laws as passed by the legislature and signed by the governor, prepares and prints most of the publications for the Secretary of State's Office including: the state constitution; the residential and the mobile home landlord and tenant acts; the Arizona Notary Public Handbook; the legislative directory; the Arizona Blue Book; and numerous other documents, pamphlets, and booklets for each division.

The Division maintains both paper and electronic (online) versions of publications. Both the paper and electronic publications are produced in-house saving taxpayer dollars.

The Public Services Division supports the other SOS divisions in preparation and printing of publications, office documents and public records, and special projects. The Division processes the mail for the Secretary of State's Office.

The Public Services Division maintains subscriptions to the Arizona Revised Statutes under A.R.S. § 41-123, Arizona Reports under A.R.S. § 12-108, subscriptions to Chapter Laws, and subscriptions to the *Code* and *Register*.

## Fiscal Year 2003

The Division staff improved publications and exceeded publication deadline expectations in FY '03. The transition between administrations was successful with the pre-planning of updating publication covers, stationary and envelopes, brochures, the Kids' Coloring Book, the online Kids' Page, graphics and the updating of the Secretary of State Web page.

The responsibility of maintaining loyalty oaths was transferred to administration (mid-FY 2003) with a new logging electronic database established by the Division in FY '02.

Policies established by the Acting Director and supported by the incoming Secretary of State, Janice K. Brewer, helped the Division meet and/or surpass its statutory mandated publication deadlines while keeping costs down. These procedures included maintaining electronic log books for filings and online counterparts for public access; surplusizing obsolete state property; successfully completing the archiving procedure of 13 years of rule packages; creation of a database (with online spreadsheet access) for Chapter Laws that become effective in mid-FY '03; organization of an incorporated by reference library; and creation of file structures for paper and electronic files. These logs and databases made it easier for the public to access information and also help the editors and assistants locate information quickly.

Subscriber lists were maintained in databases to track Arizona Revised Statutes and Arizona Reports subscriptions.

In mid-FY '03 Secretary of State Jan Brewer helped the Division cut "red tape" by supporting the updates to various antiquated laws and supported the removal of duplicative publication requirements.

Senate Bills 1260, 1261, and 1262, introduced by Senator Robert Blendu, were designed to help the Secretary of State's Office meet the mandated budget cuts passed by the state Legislature in December of 2002. The passing of these bills allow the Division to continue to produce quality publications while improve timely and quality customer services.

SB 1260 repealed the state law that required the Secretary of State's Office provide free sets of the Arizona Revised Statutes to various elected officers, judges, and court clerks. As of September 2003 (FY '04) the Division will no longer be mandated to be the clearinghouse for these publications.

Before the passing of SB 1261 (Chapter 84), the Secretary of State's Office was required to provide free

## Public Services

copies of the *Mobile Home Parks Landlord and Tenant Act* to all landlords for each and every tenant in their park. This requirement led to literally thousands of copies of the booklet being printed and shipped at taxpayer's expense. SB 1261 requires landlords to provide a summary of the law to prospective tenants after the summary has gained final approval from the Department of Building and Fire Safety. The Secretary of State will be posting a link to this summary in FY 2004.

The Secretary of State's Office was also required to maintain a subscriber database of Reports of Decisions from the Arizona Supreme Court. This material was previously delivered to the Secretary of State for processing and stamping. The Reports were shipped out to entities as prescribed by statute. SB 1262 relieves the Secretary of State's Office from acting as the intermediary between subscribers, the Supreme Court and publisher as well as the clearinghouse for the Reports.

### **Subscribers maintained in FY '03:**

- 29 Arizona Revised Statutes subscriptions (complete sets and updates)
- 698 Arizona Reports distributed per A.R.S. (twice per fiscal year)

### ***Rules***

The Division completed a long-awaited revision of the Office's rules on rulemaking, in early 2002. The Division is waiting for approval of these rules by the Attorney General's Office. With the passing of HB 2049 (Chapter 104) and support from Secretary of State Jan Brewer, the Division will no longer have to accept and maintain new rule incorporated by reference material mid-FY '04. The reference material will be on file with the referring agency, thus saving SOS staff time to file the material and save in duplicative reference material costs.

### **Subscribers maintained in FY '03:**

- 228 Arizona Administrative Code subscriptions (complete sets and with four quarterly supplement updates)
- 185 Arizona Administrative Register subscriptions

### ***Fast Facts:***

**During FY '03, the Division filed and published in the *Arizona Administrative Register* the following pursuant to the Administrative Procedure Act:**

- 198 Docket Openings
- 122 Proposed Rules
- 10 Supplemental Proposed Rules
- 9 Terminated Rules
- 29 Exempt Rules
- 126 Final Rules
- 15 Emergency
- 4 Recodification of Rules
- 11 Other filings

**The Public Services Division of the Secretary of State's Office filed and published notices of the following:**

- 105 Substantive Policy Statements
- 3 Agency Guidance Documents
- 34 Proposed Delegation Agreements
- 0 Final Delegation Agreements
- 4 Agency Ombudsmen
- 12 Governor's Regulatory Review Council (G.R.R.C.) Agendas

- 12 G.R.R.C. Summaries of Action Taken
- 0 Proposed Summary Rules
- 40 County Rules Notices
- 1 Final Summary
- 36 Public Information Notices
- 16 Expired Rules
- 1 Formal Rulemaking Advisory Committee
- 424 Other filings

The total impressions made to produce the *Arizona Administrative Register* for the fiscal year was more than 624,645. The average page count for an *Arizona Administrative Code* supplement was 1,762, with more than 2,326,500 impressions made for publication of the Code during the fiscal year.

**The Public Services Division of the Secretary of State's Office has kept record of the following actions:**

268 bills filed, 2003 - 46th Legislature, First Regular Session  
24 other filings, 2003 - 46th Legislature, First Regular Session  
3 bills filed, 2003 - 46th Legislature, First Special Session  
7 bills filed, 2003 - 46th Legislature Second Special Session  
For a complete list of the bills filed, visit our Web page at [www.azsos.gov](http://www.azsos.gov)

***Support***

During the fiscal year, the Public Services Division staff supported the Election and Business Services Divisions, Computer Services, and Administration. This included review and electronic releasing of press releases and media advisories.

The special projects editor/acting director supported: general Web site maintenance; posting office publications online; META tagging of online publications; posting of press releases; HAVA design of logo and signage, editing, preparation (paper and electronic) of HAVA State Plan; support of Election Certification Program with design of logo and creation of covers for program; support to the Golden Rule Citizen program by providing Web page to nominate those "living the Golden Rule"; updating the Voter Registration Form; and creation of Voter Outreach pencil designs and 18-year old Voter Outreach Birthday cards; design of logos and animated gifs for special projects and the Secretary of State Web page among other projects.

